

**SOUTHAMPTON TOWNSHIP
ZONING BOARD OF ADJUSTMENT MINUTES
March 14, 2013 @ 7:30 P.M.**

Call to order. The meeting was called to order at 7:37pm.

Flag salute.

Oath of Office for Timothy Murphy

Thomas Coleman, Board Solicitor administered the Oath of office to Timothy Murphy.

Roll call:

Present: Ms. Doherty, Mr. Goettelmann, Mr. Haas, Mr. Kennedy, Mr. Murphy, Mr. Robbins and Mr. Zoltowski.

Also in attendance:

Thomas Coleman, ESQ
Rakesh Darji, Engineer
Thomas Scangarello, Planner

Reading of Statement of Compliance with the Open Public Meetings Act.

Read by the Secretary

Adoption of the minutes of the February 14, 2013 meeting as presented prior to this meeting.

Motion: Mr. Goettelmann

Seconded: Ms. Doherty

Voted in the affirmative: Ms. Doherty, Mr. Goettelmann, Mr. Haas, Mr. Kennedy, Mr. Robbins and Mr. Zoltowski.

Abstained: Mr. Murphy

Resolutions

**Resolution 2013-4z
Tequesta Properties
Block 2201, Lot 16**

Motion: Mr. Goettelmann

Seconded: Ms. Doherty

Voted in the affirmative: Ms. Doherty, Mr. Goettelmann, Mr. Haas, Mr. Kennedy, Mr. Robbins and Mr. Zoltowski.

Abstained: Mr. Murphy

New Applications

Aaron Day, Block 3501.04, Lot53, 2437 N Firelane Road, Variance

Aaron Day- Sworn in By Thomas Coleman, Board Solicitor.

Mr. Day testified that he is requesting to be able to construct a 10x28 addition to the rear of his existing house. The reason for coming before the board is due to side yard setbacks. The roof of the addition will be an A-Roof to add height. The existing roof is 6.5 feet. The addition will have the same roofing material and siding to match with the existing structure.

Mr. Robbins asked about the dirt road that goes along the side of Mr. Day's property. Mr. Day testified that the dirt road dead ends mid-way of the length of his property and is not ever used.

Ms. Doherty requested that a new survey be done due to the board could not delineate the exact measurements of the new structure nor did the survey show the well, septic or pole barn that has been constructed on the parcel and also reiterated to Mr. Day that a septic certification would be needed with the permitting process. Mr. Kennedy agreed.

Mr. Murphy also stated that a new survey would be needed.

After lengthy discussion the application will be carried at the consent of the applicant.

Motion: Mr. Goettelmann

Seconded: Ms. Doherty

Voted in the affirmative: Ms. Doherty, Mr. Goettelmann, Mr. Haas, Mr. Kennedy, Mr. Murphy, Mr. Robbins and Mr. Zoltowski.

Jose & Grace Miqueo, Block 1205, Lot 2, 209 Buddtown Road, Interpretation

Requested to be held to the April meeting.

Motion: Mr. Goettelmann

Seconded: Ms. Doherty

Voted in the affirmative: Ms. Doherty, Mr. Goettelmann, Mr. Haas, Mr. Kennedy, Mr. Murphy, Mr. Robbins and Mr. Zoltowski.

Allied Recycling, Block 2401, Lot 36.02, 440 New Road, Minor Site plan.

Michael Ridgeway- Attorney for the applicant.

Thomas Garbrysiak- Owner of the property

James Miller- Planner 222 Nicholson Rad, Moorestown.

Daniel Giberson- 310 Isaac Budd Road, previous owner of the property.

Gary Sivalier- Surveyor, Mantua

All witnesses sworn in by Thomas Coleman, board attorney.

Michael Ridgeway, attorney for the applicant, explained the purpose of the application. This application needs a use variance.

Engineer for the applicant, stated that this site is 12.67 acres which 30 % is cleared. Mr. also

stated that this site operates as a recycling facility. He also testified that the nearest

A-1- Color rendering of site previously submitted.

A-2- Site 1963

A-3- Site 1965

A-4- Site 1970

A-5- Site 1995- including Falcon Drive

Daniel Giberson, previous owner of the property, stated that the site has always been a junk yard since the 1960's. He also stated that he obtained Planning Board approval in 1993 for a subdivision. Also had Pinelands approval in 1993.

A-7- 1993 Site plan

Thomas Gabrisiak, current owner of the property testified that when he purchased the property there was a lot of debris. He has worked over the past year trying to clean it up. There were thousands of tires on the outside of the property that he removed and a large amount of debris inside the property. He has not removed any trees, inside or outside the property.

Mr. Garbrisiak stated that his hours of operation are from dawn till dusk, he has approximately 15 employees and that there are no designated parking. Then employees park where ever there is open space that day.

He stated that the need for the scale to be able to weigh the scrap coming into the property.

That is the nature of his business is to buy and sell scrap.

Mr. Gabrisiak stated that he is proposing a sign to be constructed along New Road. There is currently a sign bolted to the fence that passer buys cannot see until they are directly in front of the property. He would like to have more exposure.

Questioned what is done with the fluids that are removed from the cars. Mr. Gabrisiak stated that the fluids are drained and put in to 55 gallon drums and an outside company comes and takes them away. He also stated that when a car is received it is dismantled, salvageable parts are saved for sale, fluids are drained then the cars are crushed, and then hauled away, there is not storage at this site. Also that he does not accept house hold trash at the site.

James Miller, planner for the applicant stated that this site is in the rural development zone which would allow for a junk yard. Mr. Miller did state that this application does need a D2 variance. There were two changes (without permits) that were done to the site and that are the weigh scale and the fencing. Mr. Miller also testified that operating as a recycle center is beneficial to the community in the way that people can bring recyclables to the site. Mr. Miller also testified that a C variance would be needed for the fencing.

Recess 9:55 PM

Resumed 10:03 PM

Open to the Public

Catherine Wishart- 1 Falcon Drive, commented on trees being removed outside the fence which makes the site visible from her backyard. Mr. Gabrisiak stated that he did not remove any trees that in fact there was a 35 foot deep pile of tires that stood 12 feet high that he removed.

Exhibit A-8 – photo of the property, March 8, 2013 - Showing the temporary fence that was constructed to hide the property.

Theresa Littman, Pinelands Preservation Alliance - 17 Pemberton Road – Had questioned the difference in the term “junkyard” and “salvage yard”. A junkyard is permitted in this zone. Also

now this existing business is considered a recycling center. Ms. Littman also questioned violations that have been posted on a state website. Also she stated that the sign that is proposed is not what should be constructed in this area.

Mr. Miller testified that “junkyard” is commonly used to describe this site but recycling is a function practiced at a junkyard.

Larry Burke – 3 Falcon Drive- The lights are very bright. Not necessarily onto his property but they are bright. Also Mr. Burke stated that he can see all the workings of the property all day long. Also spoke of 75 feet piles of debris on the site.

Theresa Topham - 450 New Road – Ms.Topham stated that she has lived at this location for 37 years and before the new owners took over she never heard any noise and there was low truck traffic.

Josh Wolf – 437 New Road - questioned that truck signs that are at each end of New Road. Also Mr. Wolf stated that there is a significant amount of truck traffic due to the new owner and sometimes the trucks are lined up along New Road waiting to get into the site.

Nancy King – 445 New Road – Has lived on New Road since 1985. Ms. King stated the noise from the site is very loud. Also the traffic on New Road is unbearable. She cannot have her windows open due to the noise.

Closed to the Public

After the meeting was closed to the public Tom Coleman, board solicitor asked Mr. Ridgeway, attorney for the applicant, if they would grant an extension so that the application can be continued until April 11th, 2013 meeting. The extension was granted.

Motion: Mr. Goettelman

Seconded: Ms. Doherty

Voted in the affirmative: Ms. Doherty, Mr. Goettelmann, Mr. Haas, Mr. Kennedy, Mr. Murphy, Mr. Robbins and Mr. Zoltowski.

Discussion/Public Comment

No comment from the public.

Motion for adjournment

Motion: Mr. Goettelmann

Seconded: Mr. Murphy

Motion passed unanimously